

# **EXHIBIT 10**

**Filed Redacted/Under Seal**

## LD, DB, BW, RH v. United Healthcare Insurance Comp

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

Case No. 4:20-cv-02254-YGR

LD, DB, BW, RH, and CJ, on behalf of  
themselves and all others similarly  
situated,

Plaintiffs,

vs.

UNITED HEALTHCARE INSURANCE COMPANY,  
a Connecticut Corporation, UNITED  
BEHAVIORAL HEALTH, a California  
Corporation, and MULTIPLAN, INC.,  
a New York Corporation,  
Defendants.

---

Deposition of: RADAMES LOPEZ

Date Taken: July 18, 2022

Time: 10:15 a.m. - 7:30 p.m.

Taken By: The Plaintiffs

Location: Via Videoconference

Reported By: Emily W. Andersen, RMR CRR FPR-C  
Stenograph Shorthand Reporter  
and Notary Public, State of  
Florida at Large

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8

9 Dylan Gillespie, Veritext Concierge

10 Alejandro Montalvo, Videographer  
11  
12  
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It is hereby stipulated by and between counsel for the respective parties that the reading and signing of the deposition be reserved.

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1 THE VIDEOGRAPHER: All right. Good morning.  
2 We are now on the video record. This is the  
3 videotaped deposition of Radames Lopez in the matter  
4 of LD, et al., versus United Healthcare Insurance  
5 Company. Today is Monday, July the 18th of 2022.  
6 The time is 10:15 a.m.

7 At this time, Counsel will please state their  
8 appearances for the record. After this, the court  
9 reporter will swear in the witness.

10 MR. LAVIN: This is Matt Lavin of Arnall,  
11 Golden & Gregory for the plaintiffs. I am joined by  
12 my colleagues, Aaron Modiano, also of Arnall, Golden  
13 & Gregory, and Nicole Wemhoff, also of Arnall,  
14 Golden & Gregory.

15 MS. BLAS: Good morning. Lauren Blas, Gibson,  
16 Dunn & Crutcher, representing the United defendants.  
17 I am joined by my colleague, Nicole Matthews. My  
18 other colleague, Matthew Aikin, may be joining later  
19 on in the proceeding, and we are also joined by  
20 David Crump, in-house counsel at United.

21 MR. CAESAR: And this is Craig Caesar of Phelps  
22 Dunbar representing MultiPlan and other defendants.

23 THE CERTIFIED STENOGRAPHER: Sir, raise your  
24 right hand, please.

25 THE WITNESS: (The witness complies.)

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1 THE CERTIFIED STENOGRAPHER: Do you solemnly  
2 swear that the testimony you are about to give will  
3 be the truth, the whole truth, and nothing but the  
4 truth so help you God?

5 THE WITNESS: Yes.

6 RADAMES LOPEZ,  
7 having first been duly sworn, testified under oath as  
8 follows:

9 DIRECT EXAMINATION

10 BY MR. LAVIN:

11 Q. Good morning, sir. Would you state your name  
12 for the record?

13 A. My name is Radames Lopez.

14 Q. And, Mr. Lopez, where do you currently reside?

15 A. I reside in Land O' Lakes, Florida, in the  
16 Tampa Bay area.

17 Q. What's the address there?

18 [REDACTED]

[REDACTED]

20 Q. Mr. Lopez, my name is Matt Lavin and I  
21 represent the plaintiffs in this case.

22 Do you have a general idea about what this case  
23 involves?

24 A. Yes.

25 Q. And what is your general idea?

1           A.    My idea is it's about reimbursement changes  
2   with our facility R&C program.

3           Q.    And have you ever had your deposition taken  
4   before?

5           A.    No, I have not.

6           Q.    So before we go ahead, just kind of the little  
7   ground -- you know, the ground rules for this, there is  
8   a court reporter, and she can only take down one person  
9   at a time, so we need to be careful not to talk over  
10  each other.

11                You've got an attorney here, Ms. Blas, and she  
12   may object occasionally to questions, and she's doing  
13   that to put her objections on the record. But unless  
14   she specifically, you know, instructs you not to answer  
15   something, you need to answer the question, and, you  
16   know, but maybe also give her a second to object.

17                And if there's any questions that I ask that  
18   are not clear or you don't understand them, just please  
19   let me know. I can rephrase them or ask them a  
20   different way.

21                Also, the court reporter can't take down like  
22   head nods. We all do it, right, and things like that,  
23   or uh-huh; I do that a lot. But so it's important to  
24   say like yes and no so that they can write it down.

25                And again, if you have any other questions or

1 if there's anything I say or show you something, you  
2 know, just let me know and I can clarify it.

3 And if you need to take a break or do anything  
4 like that, just mention that and we can take a break.  
5 You know, I like to take a break like every hour and a  
6 half, but if you need a break before that, please, you  
7 know, don't be afraid to say, hey, can we take a break.  
8 Just try not to do it if there's a question like  
9 actually pending, like I've asked a question and --  
10 answer the question and then we can take a break.

11 And remember, you're under oath today, so you  
12 got sworn in, just like if you're in a courtroom or if  
13 there's a judge and a jury there and all that kind of  
14 stuff.

15 And do you have a phone in front of you or is  
16 there anything like that right now?

17 A. Yeah, I do have a mobile phone, but it's  
18 currently off.

19 Q. Okay, yeah. Take any distractions like that,  
20 you know, computer stuff, and put that away.

21 And do you have access to look at the exhibits,  
22 if there's any exhibit sharing today?

23 A. Yes, I do.

24 Q. Okay, you're in, good with that. Let me see.  
25 Did you do anything to prepare for your deposition

1 today?

2 A. Yes.

3 Q. And what did you do to prepare for your  
4 deposition?

5 A. I met with our legal counsel a few times to  
6 discuss the case.

7 Q. Okay. And what attorneys did you --

8 A. I worked with Lauren.

9 Q. And how many times did you meet with Lauren?

10 A. I can't recall, maybe three or four times, if  
11 that.

12 Q. And do you remember when the first time was?

13 A. No, I don't recall.

14 Q. Okay. Do you remember when the last time was?

15 A. Oh, the last time we discussed? This morning.

16 Q. And do you remember about for how long, total,  
17 you met with your attorneys?

18 A. Maybe roughly about four hours, yes.

19 Q. And did your attorneys give you any documents  
20 to look at, to remember things about the case?

21 A. Yes.

22 Q. Do you remember what they gave you?

23 A. They gave me various documents. There was many  
24 different documents there. It was all over the  
25 spectrum.



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19

Q. Okay. Was it a one-page document?

20

A. I believe it was two pages.

21

█

█.

23

Q. Do you remember what the date of that document

24

was?

25

A. Oh, I can't recall.

\_\_\_\_\_

\_\_\_\_\_

7 [REDACTED]

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

12 Q. As part of your -- well, let's talk about your  
13 job, first.

15 A. I'm currently employed in the Oldsmar office.

17           A.     United Healthcare.

20           A.    I'm a telecommuter, but my main -- my closest  
21   office is the Oldsmar, Florida office.

25 MR. LAVIN: We'll go off the record for a

1 second.

2 THE VIDEOGRAPHER: Going off the record, the  
3 time is 10:25.

4 (Discussion off the record.)

5 THE VIDEOGRAPHER: We are now back on the video  
6 record. The time is 10:26.

7 BY MR. LAVIN:

8 Q. Okay. Mr. Lopez, you were saying you were a  
9 telecommuter; correct?

10 A. Yes.

11 Q. And where is your physical office? I think you  
12 mentioned the location, and I couldn't make it --

13 A. Like my physical office is at home, but the  
14 closest office that I leverage, if I need to go into the  
15 office for any -- any reason is the Oldsmar location.

16 Q. Altamonte; is that correct?

17 A. No, Oldsmar.

18 Q. Can you spell that, please?

19 A. Yes, O-L-D-S-M-A-R, Oldsmar.

20 Q. And where are you today, physically?

21 A. In the Oldsmar office.

22 Q. Is there anyone there with you?

23 A. No.

24 Q. In preparing for your deposition today, did you  
25 discuss anything with Rebecca Paradise?

1 A. No.

2 MS. BLAS: I'll just object to the extent it  
3 calls for attorney-client communications.

4 BY MR. LAVIN:

5 Q. Have you spoken to Rebecca Paradise since last  
6 Thursday --

7 MS. BLAS: Same objection.

8 BY MR. LAVIN:

9 Q. -- about this case?

10 A. No.

11 Q. Okay. So you work for United Healthcare and  
12 you're based in Oldsmar, but work from home. What is  
13 your current title at United Healthcare?

14 A. My current title is associate director.

15 Q. And what are you associate director of?

16 A. Out-of-network programs.

17 Q. And who do you report to in that position?

18 A. Rebecca Paradise.

19 Q. And do you have anybody that reports to you in  
20 that position?

21 A. Yes.

22 Q. And who reports to you?

23 A. Antoinette Vault-Williams (phonetic).

24 Q. And what does Ms. Vault-Williams do?

25 A. She is a program manager.

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1 Q. And for how long has she reported to you?

2 A. I believe it's been about a little over a year,  
3 almost two years.

4 Q. Is there anybody else that reports to you?

5 A. No, sir.

6 Q. And for how long have you reported to Rebecca  
7 Paradise?

8 A. I would say it's about six years now.

9 Q. So since approximately 2016; is that fair to  
10 say?

11 A. Yes.

12 Q. And before you were an associate director, did  
13 you have a previous title at United Healthcare?

14 A. Yes.

15 Q. And what was that title?

16 A. Out-of-network program manager.

17 Q. And when were you promoted from out-of-network  
18 program manager to associate director?

19 A. I believe it's in '20, I believe, a couple of  
20 years ago.

21 Q. All right. And for how long were you  
22 out-of-network program manager?

23 A. For about four years.

24 Q. So going back to about 2016; is that fair to  
25 say?



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1 Q. And what do those terms mean to you?

2 A. Those mean funding arrangements.

3 Q. Okay. What does ASO mean?

4 A. Self-funded.

5 Q. All right. And what does FI mean?

6 A. Fully-insured.

7 Q. And does the employer and individual -- is that  
8 a division? How would you characterize the E&I?

9 A. Excuse me. Could you restate that one more  
10 time for me.

11 Q. Yes. So E&I, you said you worked within E&I.  
12 Is that a division of United Healthcare or --

13 A. Yes.

14 Q. Okay. Does that include both ASO and FI  
15 customers of United Healthcare?

16 A. Yes.

17 Q. How long have you worked for United Healthcare?

18 A. Going on about 16 years.

19 Q. Did you work anywhere else before United  
20 Healthcare?

21 A. Yes.

22 Q. And where did you work?

23 A. Oh, I can't recall. In 16 years with the  
24 company, I tend to not think about the past, you know.

25 Q. Okay. Kind of a blur before the 16 years?

1 A. Exactly.

2 Q. And did you go to college?

3 A. Yes.

4 Q. Where did you go to college?

5 A. Hillsborough Community College.

6 Q. And did you get a degree from Hillsborough?

7 A. No.

8 Q. Did you do any other education after  
9 Hillsborough College?

10 A. Yes.

11 Q. Where did you receive education after  
12 Hillsborough?

13 A. With -- where did I -- I could say Erwin Tech  
14 or Learey, Learey Technical.

15 Q. And what degree did you receive from Learey  
16 Technical?

17 A. Actually, I received a certification for  
18 emergency medical technician.

19 Q. Okay. Did you work as an emergency medical  
20 technician?

21 A. No.

22 Q. Did you receive any other certification or  
23 degrees after nearly -- excuse me -- Learey Technical?

24 A. No.

25 Q. In your current role as an associate director,



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A. I'm unable to hear you.

16

Q. What is the purpose of the -- can you hear me?

17

A. I can't hear.

18

MR. LAVIN: Is anybody else having trouble

19

hearing me?

20

MS. BLAS: I can hear you.

21

THE WITNESS: Okay. If you can please restate that? Now I can hear you.

22

23

MR. LAVIN: Can I ask the court reporter to read it back.

24

25

(Read back.)

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BY MR. LAVIN:

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BY MR. LAVIN:

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Q. In the course of your duties, do you sometimes review instances of members being billed in the facility R&C -- balanced billed, excuse me, in the facility R&C program?

21

22

23

24

25

MS. BLAS: Objection; vague.

MR. LAVIN: Sir, you can answer.

THE WITNESS: Yeah, I can't recall any specific time. It would be like few and far between where that were -- where anything gets escalated my way

1           regarding balance billing.

2       BY MR. LAVIN:

3           Q.     Okay. So you mentioned escalation. How would  
4     -- how would something get escalated to you? What is  
5     the process?

6           MS. BLAS: Objection; vague.

7       BY MR. LAVIN:

8           Q.     Did you hear my question?

9           A.     Yes, I heard your question.

10          Q.     Okay.

11          A.     Yes.

12          Q.     Let me just -- so your attorney will state  
13     objections. That's what happens in depositions, all of  
14     them.

15          A.     Okay.

16          Q.     They'll state some objections to get them on  
17     the record, but then you can still answer the question.

18          A.     Gotcha.

19          MR. CAESAR: Excuse me, Mr. Lopez.

20                 Matt, too, we didn't actually talk about this,  
21     but the same rules apply in terms of one objection  
22     for all?

23          MR. LAVIN: That's fine.

24                 (David Lilienstein, Esq. joins the Zoom  
25     conference.)



1 [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]

10 MS. BLAS: Objection; vague.

11 [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]S.

14 BY MR. LAVIN:

15 [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]

18 Q. And do you have an understanding of the  
19 difference between a professional claim and a facility  
20 claim?

21 A. Yes.

22 Q. And what is the difference between those two  
23 types of claims?

24 [REDACTED]  
[REDACTED]

1

2

3

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9

Q. Have you ever heard of per diem claims?

10

A. Yes.

11

Q. What's a per diem claim?

12

A. That, I don't recall the details, but I've

13

heard the term before.

14

15

16

MR. CAESAR: Objection; lack of foundation.

17

THE WITNESS: My understanding --

18

BY MR. LAVIN:

19

Q. You can answer.

20

21

22

Q. And in your role working with the facility R&C

23

program, what are your responsibilities, generally?

24

A. Supporting the MultiPlan relationship and

25

ensuring the day-to-day activities of the program are

1 functioning as -- as designed.

2 Q. Do you -- who do you -- do you have a  
3 counterpart in MultiPlan?

4 A. Yes.

5 MS. BLAS: Objection; vague.

6 BY MR. LAVIN:

7 Q. Who is your counterpart?

8 A. Mark Edwards.

9 Q. How often do you correspond with Mark Edwards?

10 MS. BLAS: Same objection.

11 THE WITNESS: It could vary, depending on -- at  
12 least weekly, if not a few times a week.

13 BY MR. LAVIN:

14 Q. Have you spoken with Mark Edwards about this  
15 case?

16 A. No.

17 Q. Is there anybody else at MultiPlan that you  
18 communicate with regularly?

19 MS. BLAS: Objection; vague.

20 THE WITNESS: Yes.

21 BY MR. LAVIN:

22 Q. Who are the other individuals?

23 A. It varies. It can be Jacqueline, Marcel.  
24 There's different folks at MultiPlan that I interact  
25 with.

1 Q. Did you speak with Jacqueline Kinsley about  
2 this case prior to your deposition?

3 A. No.

4 Q. And you mentioned Marcel. What's Marcel's last  
5 name?

6 A. Mujica. It's M-U-J-I-C-A.

7 Q. Do you know what Marcel's position is at  
8 MultiPlan?

9 A. Yes.

10 Q. What is Marcel's position?

11 A. Account manager.

12 Q. Are you aware that MultiPlan has a healthcare  
13 economics team?

14 A. Yes.

15 Q. Do you ever speak with anybody from the  
16 healthcare economics team at MultiPlan?

17 A. Yes.

18 Q. And who do you speak with on the healthcare  
19 economics team at MultiPlan?

20 MR. CAESAR: Objection; vague.

21 THE WITNESS: Oh, I can't recall the name.

22 It's -- I don't interact with them often, but I have  
23 in the past.

24 BY MR. LAVIN:

25 Q. Do you know the name Sean Crandell?

1 A. Not -- doesn't ring a bell.

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15 Q. At United Healthcare, do you have the primary  
16 responsibility of the relationship with Viant OPR?

17 MS. BLAS: Objection; vague, lacks foundation.

18 Can you hear us, Ray?

19 THE WITNESS: No. I couldn't hear the last  
20 question. I'm sorry.

21 MR. LAVIN: Are you able to read the question,  
22 court reporter?

23 (Read back.)

24 THE WITNESS: No.

25 BY MR. LAVIN:

## LD, DB, BW, RH v. United Healthcare Insurance Comp

Page 33

1 Q. Who has that primary responsibility?

2 A. There's no single primary responsibility. I  
3 would say it's -- we all -- we all support each other in  
4 the program. I'd say there isn't any one line.

5 Q. Do you know how many claims a year are priced  
6 by Viant OPR for United Healthcare?

7 MR. CAESAR: Objection; lack of foundation.

8 THE WITNESS: No.

9 BY MR. LAVIN:

10 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

1 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

5 MS. BLAS: Objection; vague, assumes facts.

6 BY MR. LAVIN:

7 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

11 MS. BLAS: Objection; vague.

12 BY MR. LAVIN:

13 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

21 [REDACTED]

22 MS. BLAS: Objection; calls for speculation,

23 lacks foundation.

24 [REDACTED]

[REDACTED]

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BY MR. LAVIN:

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MS. BLAS: Objection; misstates testimony.

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THE VIDEOGRAPHER: Take you off?

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12 BY MR. LAVIN:

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22 MS. BLAS: Objection; asked and answered.

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1 MS. BLAS: Objection; vague.

2 MR. CAESAR: Objection.

3 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

7 BY MR. LAVIN:

8 [REDACTED]  
[REDACTED]

10 MS. BLAS: Objection; vague, asked and  
11 answered.

12 [REDACTED]  
[REDACTED]

14 BY MR. LAVIN:

15 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

19 MS. BLAS: Objection; calls for speculation,  
20 lacks foundation.

21 [REDACTED]  
[REDACTED].

23 BY MR. LAVIN:

24 [REDACTED]  
[REDACTED]

1 MS. BLAS: Objection; misstates testimony.

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 MS. BLAS: Objection; vague.

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

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[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
8 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

13 MS. BLAS: Objection; vague.

14 MR. CAESAR: Objection; asked and answered.

15 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

19 MS. BLAS: Objection; vague.

20 [REDACTED]  
21 requested any sampling.

22 BY MR. LAVIN:

23 Q. Do you think there's any question that you  
24 could ask about the data supporting Viant OPR that  
25 United Healthcare -- excuse me -- that MultiPlan would

1 not answer?

2 MR. CAESAR: Objection; calls for speculation.

3 MS. BLAS: Join.

4 THE WITNESS: I have no reason for MultiPlan  
5 not to share any or provide answers to any questions  
6 that we have asked.

7 BY MR. LAVIN:

8 Q. So you think that they would answer any  
9 question you ask; right?

10 A. Any question specific to the program, yes.

11 [REDACTED]

[REDACTED]

13 MS. BLAS: Objection; asked and answered.

14 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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MS. BLAS: Objection; lacks foundation, calls  
for speculation.

MS. BLAS: Objection; calls for speculation,  
lacks foundation.

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[REDACTED]

MS. BLAS: Objection; asked and answered, calls  
for speculation.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

BY MR. LAVIN:

[REDACTED]

[REDACTED]

MR. CAESAR: Objection as to form.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

1 MS. BLAS: Calls for speculation.

2 MR. CAESAR: Objection; form, relevance.

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 MS. BLAS: Objection; vague, calls for  
10 speculation, lacks foundation.

11 MR. CAESAR: Join.

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 BY MR. LAVIN:

17 Q. Are you familiar with what an APC is?

18 MS. BLAS: Objection; lack of foundation.

19 THE WITNESS: Yes.

20 BY MR. LAVIN:

21 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



1 MS. BLAS: Objection; misstates testimony. You  
2 can answer.

3 [REDACTED]  
4 [REDACTED]  
5 [REDACTED]  
6 [REDACTED]  
7 [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]

11 Q. Did you review the white paper in preparation  
12 for today's deposition?

13 A. Yes.

14 Q. Do you know when the last time MultiPlan sent a  
15 white paper to you was?

16 MS. BLAS: Objection to the extent it assumes  
17 facts.

18 THE WITNESS: I can't recall the last time.

19 BY MR. LAVIN:

20 Q. Have you had meetings with MultiPlan about the  
21 white paper?

22 MR. CAESAR: Objection; form, vague.

23 MS. BLAS: Join.

24 THE WITNESS: No.

25 BY MR. LAVIN:

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MS. BLAS: Objection; calls for speculation.

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MS. BLAS: Objection; vague, harassing the

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witness.

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1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 MS. BLAS: Misstates testimony; asked and  
5 answered.

6 BY MR. LAVIN:

7 Q. So if you didn't understand it, why didn't you  
8 ask MultiPlan questions about it?

9 MR. CAESAR: Objection as to form;  
10 argumentative.

11 MS. BLAS: And misstates testimony.

12 THE WITNESS: I have no -- go ahead.

13 BY MR. LAVIN:

14 Q. No, I'm listening.

15 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

1 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

5 Q. Okay. So are you saying the only time you've  
6 seen the white paper is preparing for the deposition; is  
7 that right?

8 A. No.

9 MS. BLAS: Objection; misstates testimony.

10 BY MR. LAVIN:

11 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

16 MS. BLAS: Objection; misstates testimony,  
17 asked and answered.

18 [REDACTED]  
[REDACTED]

20 BY MR. LAVIN:

21 Q. Do you trust that MultiPlan, they know what  
22 they're doing and you let them -- let them do it?

23 MS. BLAS: Object to form.

24 THE WITNESS: Yes, we trust that Multi -- when  
25 we elect to have MultiPlan services, that they're

1 doing -- they're doing their job that we've elected  
2 and leveraging their solution.

3 BY MR. LAVIN:

4 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

11 MS. BLAS: Objection; asked and answered.

12 [REDACTED]

13 BY MR. LAVIN:

14 Q. Did you review any e-mail correspondence  
15 related to H0015 in preparation for today's deposition?

16 MS. BLAS: Same objection.

17 THE WITNESS: Yeah, I can't recall.

18 BY MR. LAVIN:

19 Q. Have you ever -- strike that.

20 [REDACTED]  
[REDACTED]

22 MS. BLAS: Objection; misstates testimony,  
23 argumentative.

24 [REDACTED]  
[REDACTED]

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MS. BLAS: Objection; asked and answered, calls

6

for speculation, lacks foundation.

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THE WITNESS: I believe that's my

8

understanding. It's a grouping of services.

9

BY MR. LAVIN:

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Q. Do you know if those are professional service

11

groupings or are those groupings of facility services?

12

MS. BLAS: Same objections.

13

THE WITNESS: My understanding would be

14

facility services.

15

BY MR. LAVIN:

16

Q. Do you believe that a facility claim could be

17

priced by referring to professional?

18

MS. BLAS: Objection; vague, lacks foundation,

19

calls for speculation.

20

MR. CAESAR: Objection to the form.

21

THE WITNESS: Could you please restate that?

22

MR. LAVIN: Sure. Can you read the question?

23

(Read back.)

24

THE WITNESS: Oh, I don't know.

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BY MR. LAVIN:

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MS. BLAS: Objection; vague, assumes facts,  
incomplete hypothetical.

MS. BLAS: Objection; lacks foundation, vague.

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1 for speculation.

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8 MS. BLAS: Objection; assumes facts, calls for  
9 speculation.

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20 MS. BLAS: Same objection.

21 BY MR. LAVIN:

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MS. BLAS: Same objections.

1 BY MR. LAVIN:

2 Q. In the course of your duties at United  
3 Healthcare, do you ever refer to or review ASO summary  
4 plan descriptions?

5 A. Yes.

6 Q. And in the course of your duties at United  
7 Healthcare, have you ever had an opportunity to review  
8 administrative service agreements with ASO clients?

9 A. No, I haven't reviewed any with any ASO  
10 clients.

11 Q. Okay. Can you give me an example of a time  
12 that you might review a summary plan description with an  
13 ASO client?

14 MS. BLAS: Objection; vague.

15 THE WITNESS: Yeah, I don't -- that's out of my  
16 scope. I don't review the ASA plan language with  
17 them, with clients.

18 BY MR. LAVIN:

19 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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MS. BLAS: Objection to form.

20

BY MR. LAVIN:

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[REDACTED]

[REDACTED]

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MS. BLAS: Objection to the extent it calls for  
speculation or assumes facts.

1 [REDACTED]

2 [REDACTED]

3 Q. Who drafts the -- I'm sorry. I didn't mean to  
4 cut you off.

5 A. No, no worries.

6 Q. What were you saying?

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 MS. BLAS: Objection to the extent it calls for  
21 speculation.

22 MR. LAVIN: If you know.

23 [REDACTED]

[REDACTED]

[REDACTED]

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MS. BLAS: Objection; lacks foundation, calls  
for speculation.

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Q. Do ASO clients select certain packages of  
benefits from United Healthcare?

A. Yes, I believe that ASO clients do select  
various packages.

MS. BLAS: Objection to the extent it assumes  
facts.

BY MR. LAVIN:

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[REDACTED]

[REDACTED]

THE WITNESS: Sorry about that again. Let's  
continue. My apologies.

MR. LAVIN: You should get a fan or something.

THE WITNESS: I know or do something here.

BY MR. LAVIN:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

█ [REDACTED]

[REDACTED]

MS. BLAS: Objection to the extent it calls for  
speculation; lacks foundation.

T [REDACTED]

BY MR. LAVIN:

Q. Do you know who has responsibility for doing  
that?

MS. BLAS: Objection; calls for speculation.

THE WITNESS: That I'm not sure.

BY MR. LAVIN:

Q. Who accesses that?

MS. BLAS: Objection; calls for speculation,  
vague.

THE WITNESS: My understanding would be, again,

1 our service teams, whether it's a provider service  
2 call, member service.

3 BY MR. LAVIN:

4 [REDACTED]  
[REDACTED]  
[REDACTED]

7 MS. BLAS: Objection; calls for speculation,  
8 lacks foundation.

9 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

14 BY MR. LAVIN:

15 Q. Do you know what any of the other service  
16 solutions are?

17 A. No, not that I'm aware of.

18 [REDACTED]  
[REDACTED]

20 MS. BLAS: Objection; lacks foundation, calls  
21 for speculation.

22 [REDACTED]  
[REDACTED]  
[REDACTED]

25 BY MR. LAVIN:

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MS. BLAS: Objection; lacks foundation, calls

8

for speculation.

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MS. BLAS: Matt, can we take a break in a few?

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We're coming up on 90 minutes.

12

MR. CAESAR: Take a break.

13

MR. LAVIN: Let's go off the record.

14

THE VIDEOGRAPHER: All right. Let's go off the

15

video record. The time is 11:29.

16

(Brief recess.)

17

THE VIDEOGRAPHER: All right. We are now back

18

on the record. This is media number two. The time

19

is 11:44 a.m.

20

BY MR. LAVIN:

21

Q. Mr. Lopez, just a piece of housekeeping. We

22

were talking with the court reporter. We keep using the

23

term SPD. Do you know what SPD is short for or an

24

acronym for, rather?

25

A. Yes, I believe so.

1 Q. And what is it?

2 A. Summary Plan Descriptions or, in other words,  
3 Summary Plan Document.

4 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

9 MS. BLAS: Objection; lacks foundation, calls  
10 for speculation, vague.

11 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

16 MS. BLAS: Same objection.

17 [REDACTED]

[REDACTED]

19 BY MR. LAVIN:

20 Q. It's a big company.

21 A. Yes. Yes, we are big.

22 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

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MS. BLAS: Objection; vague.

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[REDACTED]

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[REDACTED]

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[REDACTED]

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[REDACTED]

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[REDACTED]

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MS. BLAS: Objection; vague.

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[REDACTED]

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BY MR. LAVIN:

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MS. BLAS: Objection; vague, calls for speculation, lacks foundation.

BY MR. LAVIN:

MS. BLAS: Objection; lacks foundation, calls for speculation, vague.

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BY MR. LAVIN:

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MS. BLAS: Objection; vague.

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BY MR. LAVIN:

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Q. Do you know where those service teams are

14

physically located?

15

A. No.

16

MS. BLAS: Objection; calls for speculation.

17

BY MR. LAVIN:

18

Q. Do you know if United Healthcare uses offshore

19

service teams?

20

A. No.

21

MS. BLAS: Objection; vague, calls for

22

speculation.

23

THE WITNESS: Yeah, not sure if we're

24

offshoring any service -- service teams.

25

BY MR. LAVIN:

## LD, DB, BW, RH v. United Healthcare Insurance Comp

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1 Q. Do you ever, as part of your duties at United  
2 Healthcare, listen to phone calls made to the service  
3 teams?

4 MS. BLAS: Objection; vague.

5 THE WITNESS: Yes, I have listened to phone  
6 calls.

7 BY MR. LAVIN:

8 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

1 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

9 MS. BLAS: Object to form.

10 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

18 MS. BLAS: Objection to form.

19 [REDACTED]  
[REDACTED]  
[REDACTED]

22 BY MR. LAVIN:

23 Q. Do you know what an eligibility call is?

24 MS. BLAS: Objection; lacks foundation.

25 THE WITNESS: Not in totality in details.

1 BY MR. LAVIN:

2 Q. Okay. But I'm talking about when a member or  
3 provider calls up and says, hey, you know, what are my  
4 benefits, am I covered for this? Is that the kind of  
5 phone calls you're talking about?

6 MS. BLAS: Objection to the extent it misstates  
7 testimony.

8 THE WITNESS: Yeah, I'm not -- not full  
9 benefits, but yeah, customers -- members can call in  
10 to check on their benefits, yes.

11 BY MR. LAVIN:

12 Q. For like a certain service, perhaps?

13 A. It could be, yeah, for various services  
14 potentially or various providers in and out of network.

15 Q. Sure. But you focus only on out-of-network  
16 strategies; correct?

17 MS. BLAS: Objection, vague.

18 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

23 BY MR. LAVIN:

24 [REDACTED]  
[REDACTED]

1 MS. BLAS: Objection; vague.

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9 THE CERTIFIED STENOGRAPHER: I'm sorry. There  
10 was over speaking. That was not clear.

11 BY MR. LAVIN:

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24 MS. BLAS: Objection; vague.

25 BY MR. LAVIN:

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MS. BLAS: Objection; lacks foundation, calls

for speculation.

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2 [REDACTED]  
3 MS. BLAS: Objection to the extent it calls for  
4 speculation; lacks foundation.

5 [REDACTED]  
6 [REDACTED]  
7 [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED]

13 MS. BLAS: Objection; calls for speculation,  
14 lacks foundation, misstates testimony. You can  
15 answer.

16 [REDACTED]  
17 [REDACTED]

18 BY MR. LAVIN:

19 [REDACTED]  
20 [REDACTED]

21 MS. BLAS: Objection; vague, calls for  
22 speculation, lacks foundation.

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MS. BLAS: Objection; lacks foundation, calls  
for speculation, calls for legal conclusion.



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8 MS. BLAS: Objection; vague. Go ahead.

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17 BY MR. LAVIN:

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23 MS. BLAS: Objection; lacks foundation, calls  
24 for speculation.

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BY MR. LAVIN:

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MS. BLAS: Objection to the extent it misstates

testimony or assumes facts.

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MS. BLAS: Objection; misstates testimony. You

can answer.

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MS. BLAS: Objection to the extent it lacks

foundation, calls for speculation, calls for a legal

conclusion. You can answer.

But there could be other controls that are in

place and confirm what's in the SPD, what's in IBAAG

and all that, some quality checks.

BY MR. LAVIN:

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[REDACTED]

MS. BLAS: Same objection. It's also vague and

asked and answered.

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BY MR. LAVIN:

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MS. BLAS: Objection; vague, asked and

answered, lacks foundation.

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BY MR. LAVIN:

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MS. BLAS: Objection; calls for speculation,  
lacks foundation.

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MS. BLAS: Objection; calls for speculation,  
vague.

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MS. BLAS: Objection to the extent it calls for speculation.

MS. BLAS: Objection; lacks foundation, calls for speculation, vague.

MS. BLAS: Objection; vague, lacks foundation, calls for speculation.



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MS. BLAS: Objection; vague, calls for

speculation, lacks foundation.

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12 MS. BLAS: Objection to the extent it lacks

13 foundation and calls for speculation, but you can

14 answer. And vague.

15 [REDACTED]

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23 MS. BLAS: Objection to the extent it calls for

24 speculation and lacks foundation.

25 [REDACTED]

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BY MR. LAVIN:

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Q. Is there an underwriting department at United Healthcare?

7

A. Yes.

8

9

Q. And what is the underwriting department responsible for, if you know?

10

11

A. Yeah. I'm not sure of all the tasks they're responsible for.

12

13

Q. Are they responsible for drafting plan language?

14

A. That I'm not sure.

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MS. BLAS: Objection; speculation.

16

BY MR. LAVIN:

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MS. BLAS: Object to form.

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THE WITNESS: Yes.

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BY MR. LAVIN:

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3 MS. BLAS: Objection; assumes facts, vague.

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21 MS. BLAS: Objection to the extent it calls for

22 speculation and lacks foundation.

23 MR. CAESAR: Object to form.

24 [REDACTED]

[REDACTED]

1 BY MR. LAVIN:

2 Q. Do you know what an explanation of benefits is?

3 A. Yes.

4 Q. Do you have any involvement in the language  
5 that goes on an explanation of benefits?

6 MS. BLAS: Objection; vague.

7 THE WITNESS: Yes.

8 BY MR. LAVIN:

9 Q. How about specifically for the facility R&C  
10 program?

11 A. Yes.

12 Q. Are you familiar with the code -- the reason  
13 Code CY?

14 A. Yes.

15 [REDACTED]  
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23 MS. BLAS: Objection to the extent it misstates  
24 testimony.

25 T [REDACTED]



BY MR. LAVIN:

Q. Do all United members have membership ID cards?

A. Yeah, it's my understanding.

MS. BLAS: Go ahead.

THE WITNESS: Yeah, it's my understanding. If you have a service with United, you have an ID card that represents that.

BY MR. LAVIN:

MS. BLAS: Objection to the extent it lacks foundation and calls for speculation.

MS. BLAS: Vague, calls for speculation.

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[REDACTED]

Q. So do members sometimes choose providers based on whether or not that provider has a contract with MultiPlan, if you know?

MR. CAESAR: Objection; vague.

MS. BLAS: Calls for speculation.

THE WITNESS: I don't know what's in the member's head, were they going to select a provider based on that or not, but -- yeah, I'm not sure.

BY MR. LAVIN:

[REDACTED]

[REDACTED]

[REDACTED]

MR. CAESAR: Objection as to form; calls for a legal conclusion, speculation, lacks foundation.

MS. BLAS: Join.

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MS. BLAS: Objection; foundation, speculation,  
relevance.

MS. BLAS: Objection to form; calls for  
speculation, lacks foundation.

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MS. BLAS: Objection; form, misstates

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testimony, but you can answer.

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MS. BLAS: Objection to the extent it misstates

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testimony.

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THE WITNESS: I'm sorry. Could you please

25

restate that?

## LD, DB, BW, RH v. United Healthcare Insurance Comp

Page 94

1 MR. LAVIN: Sure. Can you read the question?

2 (Read back.)

3 MS. BLAS: Same objection; also, incomplete  
4 hypothetical. You can answer.

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18 MS. BLAS: Objection to the extent it misstates

19 testimony.

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MS. BLAS: Objection to the extent it calls for

speculation.

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MS. BLAS: Object to form.

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MR. CAESAR: Objection as to form. You can

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answer.

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MS. BLAS: Join.

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MS. BLAS: Objection; misstates testimony. Go

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ahead.

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1 Q. [REDACTED]

2 MS. BLAS: Object to form.

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14 MS. BLAS: Objection to the extent it misstates

15 testimony, asked and answered, calls for

16 speculation, lacks foundation.

17 MR. CAESAR: Join.

18 [REDACTED]

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24 (Katie Spielman, Esq. joins the Zoom

25 conference.)

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BY MR. LAVIN:

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MS. BLAS: Object to form.

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1 speculation.

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8 MS. BLAS: Objection to the extent it calls for

9 speculation, lacks foundation.

10 THE WITNESS: Yeah.

11 MR. CAESAR: Objection.

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20 MS. BLAS: Objection; foundation and

21 speculation.

22

23 BY MR. LAVIN:

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MS. BLAS: Objection; vague, foundation, calls  
for speculation.

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MR. CAESAR: Objection, also to the time of the  
transmittal, vague.

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BY MR. LAVIN:

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MS. BLAS: Objection; misstates the testimony,  
foundation, calls for speculation.

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MS. BLAS: Objection; vague, calls for

1 speculation.

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7 MS. BLAS: Objection; incomplete hypothetical,

8 calls for speculation, lacks foundation.

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MS. BLAS: Object to form; foundation,  
speculation.

MS. BLAS: Objection; vague.

BY MR. LAVIN:

MS. BLAS: Objection; misstates testimony.

MR. CAESAR: Objection; misstates the  
testimony.

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BY MR. LAVIN:

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Q. Have you ever heard of a group called ATAC,  
A-T-A-C?

11

A. No, no, I haven't.

12

13

Q. I want to show you a couple of documents, start  
going through some.

14

15

16

Let's go through the documents at tab one. So,  
Ray, this is where you may have to look over onto this  
Exhibit Share.

17

18

MR. CAESAR: Have you posted yet? I can't see  
it.

19

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THE WITNESS: Yeah, yeah. I'm not seeing any  
documents in it. Are we looking at the marked  
exhibits folder?

22

23

(Plaintiffs' Exhibit No. 1 was marked for  
identification.)

24

BY MR. LAVIN:

25

Q. Well, here is the deposition notice. Let's

1 talk about that. Have you ever seen this deposition  
2 notice before?

3 A. I can't see the object. Oh, okay. Here we go.

4 Q. That's not the one I was looking for, but since  
5 it's there we can discuss it.

6 A. Oh, let me just clarify. We were looking at  
7 Exhibit 0001, 1.1 document?

8 Q. Yes, let's look at that one first because it's  
9 the first one up.

10 A. Okay. Just give me one moment to take a look  
11 at it here.

12 Q. Sure. We're in no rush. We've got a bunch of  
13 documents we're going to look at.

14 A. Okay. Yes, I've seen this before.

15 Q. Are you appearing here today pursuant to this  
16 deposition notice, if you know?

17 A. Yes, I believe so.

18 Q. Let's look at the next document. You know  
19 what, let's go to this one. Take a look, just kind of  
20 scroll through it. I just want to ask you a couple of  
21 things here just to better understand some of the  
22 processes in your department.

23 A. And we're looking at -- this is Exhibit 2;  
24 right?

25 Q. This is marked as Exhibit 2, and Exhibit 2

1 bears Bates -- every one of these documents, Mr. Lopez,  
2 read the numbers that are on the lower right-hand  
3 corner. Those are called Bates numbers, and I'm just  
4 going to read them into the record.

5 So Exhibit 2 is Bates numbers UHC20854 through  
6 UHC20866.

7 THE CERTIFIED STENOGRAPHER: 208 six what?

8 MR. LAVIN: 66.

9 (Plaintiffs' Exhibit No. 2 was marked for  
10 identification.)

11 BY MR. LAVIN:

12 Q. All right. Do you see that?

13 A. Yes, yes. Give me one moment to take a look at  
14 this, this large document here.

15 I'm still working on the document.

16 Q. Sure. I've got all day.

17 A. Okay. I'm familiar with this document. Thank  
18 you.

19 Q. So do you remember this document?

20 A. Yes.

21 Q. And why do you remember it? It was a while  
22 ago.

23 A. Yeah, no, after reviewing it, it refreshed my  
24 memory.

25 Q. Okay. And why does it stick out to you?

## LD, DB, BW, RH v. United Healthcare Insurance Comp

Page 107

1 MS. BLAS: Objection; misstates testimony.

2 THE WITNESS: No, it doesn't stick out to me.

3 It's just that I'm reviewing it now and it refreshes  
4 my memory of the situation.

5 BY MR. LAVIN:

6 Q. So let me start by the top. It says -- on the  
7 first page, it says from Marie Rickmyer to Carolyn  
8 Larson, and it's dated November 3, 2016. Who is Marie  
9 Rickmyer?

10 A. She was a previous project manager in the  
11 out-of-network team.

12 Q. And is she still on the out-of-network team?

13 A. No.

14 Q. Do you know, is she still with United  
15 Healthcare?

16 A. I believe so.

17 Q. If you go down to the second page, so I'm going  
18 to refer a lot during this deposition to documents to  
19 that -- that Bates number down at the bottom. That's  
20 what they call that thing. So it's like the first page  
21 ends in 54. Do you see that?

22 A. Uh-huh.

23 Q. So we go to the next page, it ends in 55, and  
24 there's an e-mail at the bottom from Sarah Peterson to  
25 you and also to Carolyn Larson.



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MS. BLAS: Objection to the extent it calls for speculation. You can answer.

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Q. Okay.

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MR. CAESAR: Objection to form.

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BY MR. LAVIN:

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Q. If we go down to the bottom of 56, and you see

13

there's a little like, kind of screenshot there?

14

A. Yes.

15

Q. What is that a screenshot of, if you know?

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1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 Q. Okay. And for a lot of these, I'm just trying  
6 to understand terms, right. It's very, very  
7 complicated. I am not that bright. I am just trying to  
8 -- don't read too much into these questions. I'm just  
9 trying to get some clarity. It's like I said, we have a  
10 lot of documents that we're looking at and we don't  
11 recognize all the documents always.

12 Let's go to the next page, so this is the one  
13 ending in 57. Do you see that page?

14 A. Yes.

15 Q. And at the top of it, there is -- well, it  
16 appears to me three screenshots. Do you see that?

17 A. On 57, yes, the top of the page.

18 Q. What is the top screenshot? What system is  
19 that?

20 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

## LD, DB, BW, RH v. United Healthcare Insurance Comp

Page 112

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MS. BLAS: Objection; vague.

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BY MR. LAVIN:

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A. Yes.

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MR. LAVIN: Let's go to tab 3. Tab 3 would be

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Exhibit 3.





## LD, DB, BW, RH v. United Healthcare Insurance Comp

Page 115

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MR. CAESAR: Objection to form.

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MS. BLAS: Objection.

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MS. BLAS: Vague.

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13 BY MR. LAVIN:

14 Q. I understand. That was my impression.

15 MR. LAVIN: Let's go to tab 4. We're going to  
16 look at another document.17 MS. BLAS: Matt, do you think we could break  
18 for lunch after this one?

19 MR. LAVIN: Sure.

20 (Plaintiffs' Exhibit No. 4 was marked for  
21 identification.)

22 BY MR. LAVIN:

23 Q. Exhibit 4 has Bates numbers UHC16665 through  
24 UHC16667.

25 A. Yes, I have it up.

1 Q. Do you want to look through it?

2 A. Yes, give me one moment to --

3 Q. Absolutely.

4 A. -- read through it.

5 Okay. I've reviewed it.

6 Q. This is an e-mail, the top e-mail is from  
7 Jolene Bradley to Dyane Goldstein, Corey Fox. You were  
8 cc'd on it.

9 Do you remember this particular e-mail? Also,  
10 it's dated January of 2018. It's a while ago. Do you  
11 remember this e-mail?

12 A. Yeah. This one I don't recall.

13 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

19 MS. BLAS: Objection to form.

20 [REDACTED]  
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[REDACTED]  
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[REDACTED]

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[illegible]

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MS. BLAS: Objection -- facts --

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THE CERTIFIED STENOGRAPHER: What was your

4

objection?

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MS. BLAS: Objection to the extent it assumes

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facts, but he can answer.

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MS. BLAS: Objection to the extent it misstates

## LD, DB, BW, RH v. United Healthcare Insurance Comp

Page 122

1 testimony.

2 MR. CAESAR: Objection.

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6 BY MR. LAVIN:

7 Q. All right. We're going to look at some more  
8 documents that might refresh your recollection.

9 A. Okay.

10 MR. LAVIN: Let's take a -- let's go off the  
11 record.

12 THE CERTIFIED STENOGRAPHER: Mr. Montalvo, we  
13 can go off the record.

14 THE VIDEOGRAPHER: Sure, yes. Let's go off the  
15 video record. The time is 1:05 p.m.

16 (A luncheon recess was taken from 1:05 p.m.  
17 until 1:55 p.m.)

18 THE VIDEOGRAPHER: Good afternoon. We are now  
19 back on the video record. The time is 1:55. Media  
20 number three.

21 (Plaintiffs' Exhibit No. 5 was marked for  
22 identification.)

23 BY MR. LAVIN:

24 Q. Mr. Lopez, we're back from lunch and we're  
25 going to put up Exhibit No. 5, which is tab 5.

1 A. Okay.

2 Q. And I will move quickly through documents.

3 It's kind of what I do. So if you can look at them, you  
4 know, I'll direct you to places in documents, if I want  
5 you to go to that place, but otherwise if you'd just  
6 look through them to get an idea -- you don't have to  
7 read every word necessarily, but you know what I'm  
8 saying.

9 A. Gotcha. I'm just waiting for it to load here,  
10 guys. Appreciate it.

11 Okay. I'm pulling up the Exhibit 5. Just  
12 allow me a minute to look at it real quick here.

13 Q. Oh, yes.

14 A. Okay. I'm ready.

15 Q. All right. I believe this document -- it seems  
16 to be a longer version or an earlier version of an  
17 e-mail we had seen previously; correct?

18 A. Yes, it appears that way.

19 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
23 [REDACTED]  
[REDACTED]  
[REDACTED]

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[REDACTED]

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MS. BLAS: Objection; misstates the document.

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MS. BLAS: Objection to the extent it calls for speculation.

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MS. BLAS: Objection; vague.

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[REDACTED]

[REDACTED]

[REDACTED]

9 MS. BLAS: Objection; asked and answered, calls  
10 for speculation.

11 [REDACTED]

[REDACTED]

[REDACTED]

14 BY MR. LAVIN:

15 Q. Okay. Let's go to the page ending in 61, and  
16 you see there's an e-mail from Jolene Bradley to Mr. Fox  
17 and you're on there. There are some other individuals  
18 on there.

19 Do you know who Susan Sheedy is?

20 A. Yes.

21 Q. Who is Susan Sheedy?

22 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

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[REDACTED]

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[REDACTED]

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[REDACTED]

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[REDACTED]

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[REDACTED]

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[REDACTED]

[REDACTED]

Q. Sir, your answer was cut off. We're not  
getting good audio for some reason.

Would you just repeat your answer, sorry,  
because nobody could hear it.

■

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

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MS. BLAS: Objection to the extent it calls for

8

speculation.

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BY MR. LAVIN:

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MS. BLAS: Objection; foundation, calls for

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speculation.

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MS. BLAS: Objection; calls for speculation.

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BY MR. LAVIN:

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8

Q. Okay. Are you able to tell me what they are discussing in this e-mail thread?

9

MS. BLAS: Objection; vague.

10

11

THE WITNESS: Yeah, I'm not sure exactly what they're discussing here.

12

13

14

Again, I'm reading towards the end of this, I'm not seeing -- yeah, I can't recall all the details of why they're discussing this beyond what's listed.

15

BY MR. LAVIN:

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MS. BLAS: Objection; misstates the document.

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MS. BLAS: Objection to the extent it calls for

1 speculation.

2 THE WITNESS: Yeah, I'm not sure exactly what  
3 she's referring to.

4 BY MR. LAVIN:

5 [REDACTED]

6 [REDACTED]

7 MS. BLAS: Same objection.

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 MS. BLAS: Objection; misstates the testimony.

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

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A. Is that on Exhibit 16837?

6

Q. Yes.

7

A. That page? Okay.

8

Q. It's the last e-mail thread there. Do you

9

know --

10

A. Yes, I do see it.

11

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MS. BLAS: Objection; foundation, calls for

19

speculation.

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MR. KELLY: Remind me on August 7th to cancel

6

class pass.

7

BY MR. LAVIN:

8

Q. Let me go to -- go a little further down on

9

this. Let's go to page 16839. Do you see those tables

10

there?

11

A. Yes.

12

Q. Okay. Do you have an understanding of what

13

that's a printout from or a screenshot from?

14

A. No, I'm not sure where that came from.

15

Q. You've never seen those tables before?

16

A. Not that I could recall, seeing these.

17

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MS. BLAS: Objection to the extent it calls for

22

speculation.

23

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3 MS. BLAS: Objection; asked and answered.

7 BY MR. LAVIN:

8 Q. Okay. And then I want to go down to the last  
9 page, and it says Andrea Fisun or Fisun. You can see  
10 her signature on the very -- actually, it's on page 41  
11 at the bottom.

12 A. Yes, I see that.

13 Q. Do you know who Andrea is?

14 A. No, other than what is listed there in the  
15 exhibit.

22 (Plaintiffs' Exhibit No. 7 was marked for  
23 identification.)

24 BY MR. LAVIN:

25 Q. All right. Let's go to the next document.



1 MS. BLAS: Objection; vague.

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MS. BLAS: Objection.

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## LD, DB, BW, RH v. United Healthcare Insurance Comp

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MS. BLAS: Objection to the extent it calls for speculation.

BY MR. LAVIN:

MR. CAESAR: Objection to form.

MS. BLAS: Objection; calls for speculation.

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MS. BLAS: Objection.

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MS. BLAS: Objection; vague and to the extent

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it misstates the document.

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MS. BLAS: Objection; calls for speculation.

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MR. CAESAR: Objection.

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## LD, DB, BW, RH v. United Healthcare Insurance Comp

Page 142

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MR. CAESAR: Objection as to form.

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MS. BLAS: Objection; speculation, asked and

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answered.

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MR. CAESAR: Form.

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MS. BLAS: Objection; foundation, calls for

1 speculation.

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19 MS. BLAS: Objection; foundation, calls for

20 speculation.

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MS. BLAS: Objection; vague.



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MS. BLAS: Objection to the extent it calls for

speculation.

MS. BLAS: Objection; misstates the document.

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MS. BLAS: Objection; vague.

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MR. LAVIN: Let's go to the next exhibit.

(Plaintiffs' Exhibit No. 8 was marked for  
identification.)

BY MR. LAVIN:

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MS. BLAS: Objection to the extent it calls for speculation.

MS. BLAS: Objection; foundation, vague.

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MS. BLAS: Objection to form.

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MS. BLAS: Objection; foundation, calls for

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speculation.

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MS. BLAS: Objection; vague, foundation.

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[REDACTED].

9

MS. BLAS: Objection; vague, foundation.

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[REDACTED]

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[REDACTED]

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[REDACTED]

[REDACTED]

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[REDACTED]

18

[REDACTED]

19

[REDACTED]

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[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

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MS. BLAS: Objection; vague.

MR. CAESAR: Objection to the form.

MS. BLAS: Objection; assumes facts.

MS. BLAS: Objection; foundation, calls for speculation.

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MS. BLAS: Objection; foundation, calls for  
speculation.

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■ [REDACTED]

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■ [REDACTED]

MS. BLAS: Objection; vague.

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■ [REDACTED]

## LD, DB, BW, RH v. United Healthcare Insurance Comp

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MS. BLAS: Vague.

MS. BLAS: Objection; misstates testimony.



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MS. BLAS: Objection; vague.

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MS. BLAS: Objection; misstates foundation.

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MS. BLAS: Objection; calls for speculation.

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MS. BLAS: Objection; vague.

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BY MR. LAVIN:

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[REDACTED]

[REDACTED]

12 MS. BLAS: Objection; vague.

13 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

19 MR. LAVIN: All right. Let's go to the next

20 document.

21 (Plaintiffs' Exhibit No. 9 was marked for

22 identification.)

23 BY MR. LAVIN:

24 [REDACTED]

[REDACTED]

1

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[REDACTED]

4

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

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MS. BLAS: Objection to the extent it

mischaracterizes testimony. You can answer.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

MS. BLAS: Objection.

[REDACTED]

[REDACTED]

[REDACTED]

1 [REDACTED]?

2 MS. BLAS: Objection; vague.

3 [REDACTED]

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11 MS. BLAS: Vague; calls for speculation, lacks  
12 foundation.

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MR. CAESAR: Objection to form; lacks  
25 foundation, misstates testimony.

1 MS. BLAS: Join.

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18 MS. BLAS: Objection to the extent it was asked

19 and answered and vague.

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MR. LAVIN: Let's go to the next document.

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(Plaintiffs' Exhibit No. 10 was marked for

5

identification.)

6

BY MR. LAVIN:

7

Q. So Exhibit 10 is Bates numbers UHC187983 to

8

UHC187991.

9

Do you need a minute to look at this document?

10

A. Give me one moment to take a look at it here.

11

Q. Oh, sure.

12

A. Yes.

13

Q. Okay. What is this document? Do you recognize

14

it?

15

16

17

Q. We discussed this earlier, generally; right?

18

A. Yes, this was brought up earlier.

19

Q. Let's go to the page ending in 84. And I

20

believe you testified earlier you understand it at a

21

high level, but maybe not at all the details contained;

22

is that right?

23

MS. BLAS: Objection; misstates prior

24

testimony.

25

THE WITNESS: Yes.



## LD, DB, BW, RH v. United Healthcare Insurance Comp

Page 165

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MS. BLAS: Objection --

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MS. BLAS: -- speculation. Sorry. Go ahead.

6

THE CERTIFIED STENOGRAPHER: Your objection was

7

completely gone.

8

MS. BLAS: Foundation, calls for speculation.

9

BY MR. LAVIN:

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MR. CAESAR: Objection as to form,

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argumentative.

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MS. BLAS: Misstates testimony.

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MR. CAESAR: Objection to form; argumentative.

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[REDACTED]

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MS. BLAS: Objection; foundation, calls for

16

speculation, vague.

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MS. BLAS: Vague; incomplete hypothetical,  
calls for speculation.

MS. BLAS: Objection; foundation.

MS. BLAS: Objection; vague, foundation.

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MS. BLAS: Objection; foundation, calls for speculation.

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MS. BLAS: Same objections.

MS. BLAS: Objection; foundation, vague.

THE WITNESS: No, I can't tell -- or could you please restate that?

BY MR. LAVIN:

MS. BLAS: Objection.

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MS. BLAS: Objection; vague, calls for speculation.

MS. BLAS: Objection, misstates testimony.

MS. BLAS: Objection; calls for speculation.

MS. BLAS: Objection; vague as to you.

1 [REDACTED]?

2 MS. BLAS: Objection; foundation.

3 T [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED] [REDACTED]

8 [REDACTED]

9 MS. BLAS: Objection; vague, asked and

10 answered.

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED] [REDACTED]

15 [REDACTED]

16 [REDACTED] [REDACTED]

17 [REDACTED] [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 MS. BLAS: Objection; foundation, calls for

1 speculation.

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14 MS. BLAS: Objection; foundation, calls for

15 speculation.

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20 MS. BLAS: Objection; vague.

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MS. BLAS: Objection; vague.

MS. BLAS: Objection.

MR. CAESAR: Objection to form; repetitive.

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MS. BLAS: Objection; argumentative, misstates  
testimony.

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MS. BLAS: Objection to the extent it assumes

3

facts.

4

THE WITNESS: I don't recall receiving this,

5

this item in September '18.

6

BY MR. LAVIN:

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MS. BLAS: Same objection.

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MS. BLAS: Objection; vague.

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16

MR. CAESAR: Objection to form; lack of

17

foundation, calls for speculation.

18

MS. BLAS: Join.

19

[REDACTED]

[REDACTED]

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24

A. Yeah. No, no, I don't.

25

MR. LAVIN: Let's go to the next document.

1 (Plaintiffs' Exhibit No. 11 was marked for  
2 identification.)

3 BY MR. LAVIN:

4 [REDACTED]

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22 MR. LAVIN: And let's go to the next document.

23 (Plaintiffs' Exhibit No. 12 was marked for

24 identification.)

25 BY MR. LAVIN:

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MS. BLAS: Objection to the extent it misstates  
the document.

THE WITNESS: Could you restate that question?

I'm sorry.

BY MR. LAVIN:

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MR. LAVIN: Let's move on to the next document.

4

(Plaintiffs' Exhibit No. 13 was marked for

5

identification.)

6

BY MR. LAVIN:

7

Q. Exhibit 13 has Bates numbers UHC11445 through

8

UHC11450.

9

A. Allow me one moment to review this.

10

Q. Sure.

11

A. Okay. I've had a chance to review it.

12

Q. All right. Do you have an idea what they're

13

talking about in this e-mail thread?

14

MS. BLAS: Objection to the extent it calls for

15

speculation. You can answer.

16

THE WITNESS: Yeah, yes, I believe they -- I

17

believe I do.

18

BY MR. LAVIN:

19

Q. And what are they talking about?

20

1



2

If you look under here, it says from Deann

3

Wolfe to Lisa Bryant. Do you know either of those

4

people?

5

A. Yes.

6

Q. Okay. Do you know them both?

7

A. The Deann sounds familiar, but I definitely

8

know who Lisa Bryant is.

9

Q. Who is Lisa Bryant?

10



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MR. CAESAR: Objection to form.

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MS. BLAS: Also misstates the document.

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MS. BLAS: Objection.

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MS. BLAS: Objection; misstates testimony.

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MS. BLAS: Objection.

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MS. BLAS: Objection; calls for speculation.

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MS. BLAS: Objection; vague.

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MS. BLAS: Objection; calls for speculation.

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MR. CAESAR: Objection to form.

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MR. CAESAR: Objection to form.

24

Objection; form, lacks foundation, speculation.

25

MS. BLAS: And to the extent it misstates the

1 document.

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MS. BLAS: Objection.

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MR. CAESAR: Objection to form; argumentative.

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MS. BLAS: Objection; asked and answered.

24

MR. CAESAR: Objection.

25

MS. BLAS: Go ahead.

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MS. BLAS: Objection. Can you please wait for  
us to lodge an objection? Thank you.

MR. CAESAR: Objection; asked and answered,  
argumentative. Let's move on.

BY MR. LAVIN:

MS. BLAS: Same objections.

MS. BLAS: Objection; calls for speculation.

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MS. BLAS: Objection; vague, calls for speculation, lacks foundation.

MR. CAESAR: Are we going to have a break at some point? We've been going for like an hour and a half.

MR. LAVIN: All right.

MR. CAESAR: We can do it after this exhibit. I don't care.

MR. LAVIN: Let's go -- let's just do this

## LD, DB, BW, RH v. United Healthcare Insurance Comp

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1 exhibit and then we'll take a break. Sound good?

2 Does that work?

3 THE WITNESS: Yes.

4 (Plaintiffs' Exhibit No. 14 was marked for  
5 identification.)

6 BY MR. LAVIN:

7 Q. So Exhibit 14 is Bates numbers UHC8910 through  
8 UHC8915.

9 A. Okay. I'm reviewing the document.

10 Q. Sure.

11 A. Okay. I've had a chance to review.

12 Q. Do you remember this e-mail exchange?

13 A. Yes, I do.

14 Q. Can you describe to me what you were discussing  
15 in this e-mail exchange?

16 A. What I was discussing here was looking at --  
17 let me see. Give me one moment here.

18 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
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MS. BLAS: Objection; misstates the document.

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[REDACTED]

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[REDACTED]

21 A. Could you --

22 MS. BLAS: Objection --

23 THE WITNESS: Yeah, could you please clarify?

24 BY MR. LAVIN:

25

[REDACTED]



1 record. The time is 4:03, media number four.

2 BY MR. LAVIN:

3 Q. Mr. Lopez, welcome back. Let's go to the next  
4 exhibit.

5 (Plaintiffs' Exhibit No. 15 was marked for  
6 identification.)

7 THE WITNESS: I am getting a load error and now  
8 the site has dropped for me.

9 THE CERTIFIED STENOGRAPHER: If the witness has  
10 an issue with the Exhibit Share site, we can also do  
11 a share screen.

12 THE WITNESS: Let's do that, because I can't  
13 get into the Exhibit Share.

14 MR. LAVIN: Can't log into the site?

15 THE WITNESS: Yeah. I tried to select launch  
16 Exhibit Share and it's not on.

17 MR. LAVIN: Let's go off the record for a  
18 minute if we can.

19 THE VIDEOGRAPHER: Going off the video record,  
20 the time is 4:05.

21 (Discussion off the record.)

22 THE VIDEOGRAPHER: We're back on the record.  
23 The time is 4:06.

24 BY MR. LAVIN:

25 Q. Okay. So this next exhibit, Exhibit 15, is



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

5 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

11 MS. BLAS: Objection to the extent it misstates  
12 the document; vague.

13 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

18 MR. LAVIN: Move on to the next exhibit.  
19 And, hey, let's do tab 15 for the next exhibit.  
20 We're going to skip a bunch of exhibits, Nicole. So  
21 tab 15, next.

22 (Plaintiffs' Exhibit No. 16 was marked for  
23 identification.)

24 MR. LAVIN: Exhibit 16 bears Bates numbers  
25 UHC37934 through UHC37937.

## LD, DB, BW, RH v. United Healthcare Insurance Comp

Page 198

1 THE WITNESS: I'm just reviewing the document  
2 at this time.

3 Okay. I've reviewed it.

4 BY MR. LAVIN:

5 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

11 MS. BLAS: Objection; vague.

12 [REDACTED]  
[REDACTED].

14 MR. LAVIN: Let's go to the next document.  
15 And, Nicole, we're going to a document that is, on  
16 my copy, tab 15.

17 (Plaintiffs' Exhibit No. 16 was marked for  
18 identification.)

19 MR. LAVIN: This is a document that we've seen  
20 before. We might be having a little bit of a  
21 technical error here.

22 MR. CAESAR: Yeah, that one we've seen.

23 MR. LAVIN: Let me cure it.

24 Let's go off the record for 15 seconds. I have  
25 to get things in order.

## LD, DB, BW, RH v. United Healthcare Insurance Comp

Page 199

1 THE VIDEOGRAPHER: End the video?

2 MR. LAVIN: Yes.

3 THE VIDEOGRAPHER: Off the record, the time is  
4 4:13.

5 (Discussion off the record.)

6 (Matthew Aiken, Esq. joins the Zoom  
7 conference.)

8 THE VIDEOGRAPHER: Now back on the record, the  
9 time is 4:16.

10 MR. LAVIN: So I'm going to put up Exhibit 18.

11 (Plaintiffs' Exhibit No. 18 was marked for  
12 identification.)

13 BY MR. LAVIN:

14 Q. Exhibit 18 is Bates numbers UHC25612 through  
15 UHC25614. If you would take a second to look at that,  
16 Mr. Lopez.

17 A. Yes, thank you.

18 Q. Let me know when you're ready.

19 A. Okay. I've had a moment to review it.

20 Q. All right. And do you recognize this document,  
21 Mr. Lopez?

22 A. Yes, I do.

23 Q. Do you remember sending this e-mail?

24 A. Yes, I do remember sending this e-mail.

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MS. BLAS: Objection; speculation.

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MS. BLAS: Objection; foundation, calls for

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speculation.

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MS. BLAS: Objection; foundation, vague, calls

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for speculation.

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MS. BLAS: Objection; vague, asked and

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answered.

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MS. BLAS: Objection; assumes facts, calls for

18

speculation. You can answer.

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BY MR. LAVIN:

6

Q. We can't hear you.

7

A. -- program, there's various types -- oh, hello?

8

Can you hear me?

9

Q. We couldn't hear the last half of your answer.

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MS. BLAS: Objection; vague, misstates the

document.

on; foundation, calls for  
speculation.

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MS. BLAS: Objection; foundation, calls for  
speculation.

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MS. BLAS: Objection; assumes facts, vague,  
calls for speculation.

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MS. BLAS: Objection to the extent it misstates

testimony. You can answer.

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MR. CAESAR: Objection to form; misstates his  
testimony.

MS. BLAS: Join.

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## LD, DB, BW, RH v. United Healthcare Insurance Comp

Page 211

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MS. BLAS: I stated an objection. Thanks.

6

MR. LAVIN: Let's go to the next exhibit. So

7

this is under tab 18 that I have.

8

(Plaintiffs' Exhibit No. 19 was marked for

9

identification.)

10 BY MR. LAVIN:

11

Q. If you could take a minute to review this

12

document, so tab -- excuse me -- Exhibit 19 is UHC22261

13

through UHC22271.

14

A. Give me just one moment to go through --

15

Q. Oh, sure, yeah.

16

A. Okay. I've had a chance to review.

17

Q. This is -- the top e-mail is from Lisa Moore,

18

excuse me, to Kimberly Burkhardt, you, Mr. Lopez, and

19

some others. It's dated July 8th of 2020. Do you

20

remember this e-mail exchange?

21

A. Yes, I do. Looking at the exhibit refreshed my

22

memory.

23

Q. Okay. Can you tell me what's being discussed

24

in this e-mail chain?

25

The image consists of a single, uniform black rectangle that fills the entire frame. There are no discernible features, text, or patterns other than the solid black color.

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MS. BLAS: Objection; calls for speculation,

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foundation.

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MS. BLAS: Objection; calls for speculation.

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MS. BLAS: Objection; vague.

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MR. CAESAR: Can we -- the exhibit sticker went

1 over part of the document. Can we either move that  
2 or read into the record what the rest of that line  
3 reads?

4 [REDACTED]

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MS. BLAS: Objection; vague.

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MS. BLAS: Objection; calls for speculation.

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MS. BLAS: It's been asked and answered; calls

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for speculation.

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BY MR. LAVIN:

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**[REDACTED]**

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**[REDACTED]**

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[REDACTED]

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MS. BLAS: Objection; vague, calls for

6

speculation.

7

MR. CAESAR: Objection; speculation.

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

16

MS. BLAS: Same objections.

17

MR. LAVIN: Let's go on to the next document.

18

Can I have tab 19?

19

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[REDACTED]



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MS. BLAS: Objection; asked and answered.

MS. BLAS: Objection; calls for speculation,  
vague, foundation.

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MS. BLAS: Objection, calls for speculation,

lacks foundation.



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MS. BLAS: Objection; vague.

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MS. BLAS: Objection to the extent it misstates

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1 MS. BLAS: Objection.

2 BY MR. LAVIN:

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7 MS. BLAS: Objection; speculation.

8 BY MR. LAVIN:

9 [REDACTED]

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[REDACTED]

[REDACTED]

13 MS. BLAS: Objection; calls for speculation.

14 [REDACTED]

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22 MS. BLAS: Objection; speculation, lacks

23 foundation, vague.

24 [REDACTED]

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MS. BLAS: Objection; misstates testimony.

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MS. BLAS: Objection; foundation, calls for

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speculation.

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BY MR. LAVIN:

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MS. BLAS: Objection; foundation, calls for

speculation.

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BY MR. LAVIN:

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MS. BLAS: Objection.

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MS. BLAS: Objection; misstates the document.

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MS. BLAS: Objection to the extent it calls for

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privileged information.

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[REDACTED]

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MS. BLAS: Objection; vague.



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MS. BLAS: Objection; calls for speculation,  
foundation. You can answer.

MR. CAESAR: Objection; asked and answered.

MS. BLAS: Objection; asked and answered.

MS. BLAS: Objection; calls for speculation.

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[REDACTED]

[REDACTED] [REDACTED]

MR. LAVIN: The next document, it's under tab  
23, Nicole.

So Exhibit 23 is Bates numbers UHC3413 [sic]  
through UHC3420 [sic].

(Plaintiffs' Exhibit No. 23 was marked for  
identification.)

THE WITNESS: Give me just one moment to take a  
look at it.

BY MR. LAVIN:

Q. Sure.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

## LD, DB, BW, RH v. United Healthcare Insurance Comp

Page 238

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MS. BLAS: Objection; foundation, speculation,  
calls for --

MR. CAESAR: Where are we looking, at what  
page?

MR. LAVIN: We're looking at the entire  
document.

MR. CAESAR: Oh, there's not -- I thought you  
were quoting something. I'm sorry.

MS. BLAS: And the rest of my objection was  
just "calls for a legal conclusion."

BY MR. LAVIN:

Q. Let's go to page ending 415. Can you see that?

A. Yes.

1 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

6 MS. BLAS: Objection; asked and answered.

7 MR. CAESAR: Objection.

8 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

15 MS. BLAS: Same objection; misstates

16 foundation, speculation.

17 T [REDACTED]

[REDACTED]

19 MR. LAVIN: Let's take a look at the next

20 exhibit, 24.

21 (Plaintiffs' Exhibit No. 24 was marked for

22 identification.)

23 BY MR. LAVIN:

24 Q. Exhibit 24 has Bates numbers UHC23549 through

25 UHC23551.



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MS. BLAS: Objection; calls for speculation.

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MS. BLAS: Objection; calls for speculation.

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## LD, DB, BW, RH v. United Healthcare Insurance Comp

Page 242

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MS. BLAS: Objection; speculation.

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MS. BLAS: Objection.

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MR. CAESAR: Objection to form, speculative.

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MS. BLAS: Join.

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MR. LAVIN: Can you answer? Are you there?

23

Let's go off the record for a minute.

24

THE VIDEOGRAPHER: Off the record. The time is

25

5:25.

## LD, DB, BW, RH v. United Healthcare Insurance Comp

Page 243

1 (Discussion off the record.)

2 THE VIDEOGRAPHER: We are now back on the video  
3 record. The time is 5:27. Media number five.

4 BY MR. LAVIN:

5 Q. Okeydokey. We are back here on Exhibit 24, and  
6 the question is -- and what were we talking about?

7 So I think you mentioned previously that Jolene  
8 and you have different roles in United Healthcare; is  
9 that right?

10 A. Yes.

11 Q. And what does Jolene Bradley do?

12 MS. BLAS: Form.

13 T [REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

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MS. BLAS: Objection; misstates testimony.

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MS. BLAS: Objection; calls for speculation.

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MS. BLAS: Objection; vague.

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MS. BLAS: Objection.

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MR. CAESAR: Objection; calls for speculation.

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Might hear?

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BY MR. LAVIN:

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MS. BLAS: Objection; misstates testimony.

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MS. BLAS: Objection; asked and answered, calls  
for speculation.

MR. CAESAR: Join.

1 MS. BLAS: Objection; calls for speculation.

2 THE WITNESS: Where in the document are we

3 looking at? Still in Exhibit 24?

4 BY MR. LAVIN:

5 Q. Yes, the same document.

6 A. Okay.

7 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

22 MS. BLAS: Objection; calls for speculation,

23 asked and answered.

24 [REDACTED]

[REDACTED]

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MS. BLAS: Objection; misstates testimony.

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MS. BLAS: Objection; calls for speculation.

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MR. LAVIN: Let's go to the next exhibit.

23

Exhibit 25, Bates numbers UHC38459 through UHC38463.

24

THE WITNESS: Give me one moment to take a look

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at it here.



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MS. BLAS: Objection; misstates testimony.

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BY MR. LAVIN:

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MS. BLAS: Objection to the extent it calls for

23

speculation.

24

MR. CAESAR: Also mischaracterizes the exhibit.

25

THE CERTIFIED STENOGRAPHER: I don't have an

1 answer to the pending question.

2 MR. LAVIN: There was a question. Can you read  
3 it back for him?

4 THE WITNESS: Yes, please.

5 (Read back.)

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 BY MR. LAVIN:

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 MS. BLAS: Objection; vague.

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

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MS. BLAS: Objection; foundation, calls for speculation.

MS. BLAS: Objection; argumentative, misstates testimony.

MR. LAVIN: Okay. And let's go to the next document.

MS. BLAS: Can we take a break after this one, like five or ten minutes?

MR. LAVIN: Okay, sure.

Exhibit 26 is UHC16222 through UHC16225.

(Plaintiffs' Exhibit No. 26 was marked for identification.)

THE WITNESS: Allow me one moment to review the

1 exhibit.

2 BY MR. LAVIN:

3 Q. Sure.

4 A. Okay. I had a moment to review.

5 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

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[REDACTED]

17 [REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

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[REDACTED]

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MS. BLAS: Objection; vague, misstates the

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document.

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MS. BLAS: Objection; foundation, calls for a  
legal conclusion.

MS. BLAS: Objection; misstates testimony.

BY MR. LAVIN:

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MS. BLAS: Objection; foundation, calls for speculation.

MS. BLAS: I also object that it's vague.

BY MR. LAVIN:

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MS. BLAS: Objection; misstates testimony in  
the document, calls for a legal conclusion.

MS. BLAS: Objection; calls for speculation,  
lacks foundation.

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MS. BLAS: Objection; foundation, calls for speculation.

MS. BLAS: Objection.

MS. BLAS: Objection; misstates testimony.

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[REDACTED]

MS. BLAS: Objection; asked and answered, calls

for speculation.

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[REDACTED]

[REDACTED]

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[REDACTED]

MS. BLAS: Objection; calls for speculation,

argumentative.

[REDACTED]

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MS. BLAS: Objection.

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BY MR. LAVIN:

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MS. BLAS: Objection; vague, asked and

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answered, foundation, speculation.

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MS. BLAS: Objection; misstates testimony.

7

MR. LAVIN: All right. We can take a break.

8

THE VIDEOGRAPHER: All right. Going off the

9

record, the time is 5:55.

10

(Brief recess.)

11

THE VIDEOGRAPHER: We are now back on the video

12

record. The time is 6:12 p.m.

13

MR. LAVIN: Okay. Can we upload the next

14

exhibit, please?

15

So Exhibit 27 is Bates numbers UHC251451

16

through UHC251602.

17

(Plaintiffs' Exhibit No. 27 was marked for

18

identification.)

19

BY MR. LAVIN:

20

Q. It's a long document, and I think we're going

21

to focus on page ending in 1499, but if you want to take

22

a minute, you can look through it, Mr. Lopez.

23

A. Yes, definitely. Let me get down to that page.

24

Q. Right. And if you want to flip through it, you

25

can do that.

1 And this document on the front says Oracle  
2 America, Incorporated Flexible Benefit Plan, Plan  
3 Document and Summary Plan Description (SPD) for 2017.

4 If you go to page 1499 -- actually, let's go to  
5 the page right before it.

6 A. I'm still navigating here.

7 Q. Oh, sure. I think we're going to go to 1498  
8 and 1499. Take your time.

9 A. It's not loading for me or I can't see the --

10 Q. Do you want to go in and out of Exhibit Share?

11 A. Yeah, let me try that. 1499 to 98?

12 Q. Right.

13 A. Okay. I'm there.

14 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

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MS. BLAS: Objection; lack of foundation and  
calls for a legal conclusion.

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MS. BLAS: Objection; foundation, calls for a  
legal conclusion.

MS. BLAS: Objection; form, misstates

testimony.

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MS. BLAS: Objection to foundation; calls for a  
legal conclusion.

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MS. BLAS: Objection; speculation, calls for a  
legal conclusion.

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MS. BLAS: Objection; vague.

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MS. BLAS: Objection; vague, lacks foundation,  
calls for speculation.

MS. BLAS: Objection; vague.

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MS. BLAS: Objection; vague.

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MS. BLAS: Objection; calls for a legal

15

conclusion, lacks foundation.

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MS. BLAS: Same objection.

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MS. BLAS: Objection; vague, legal conclusion,  
incomplete hypothetical, calls for speculation.

MS. BLAS: Objection; vague, foundation,  
speculation.

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MS. BLAS: Objection to the extent it assumes

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MS. BLAS: Objection; calls for a legal

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MS. BLAS: Objection; asked and answered.

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MS. BLAS: Objection; foundation, calls for a  
legal conclusion.

MS. BLAS: Objection; calls for speculation,  
incomplete hypothetical.

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MS. BLAS: Objection; calls for speculation,

lacks foundation.

1 MS. BLAS: Objection; calls for speculation,  
2 lacks foundation, incomplete hypothetical.

3 BY MR. LAVIN:

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11 MS. BLAS: Same objection; misstates testimony.

12 [REDACTED]  
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[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

19 MR. CAESAR: Objection; lack of foundation,  
20 argumentative.

21 MS. BLAS: Join.

22 [REDACTED]  
[REDACTED]  
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MS. BLAS: Objection; misstates testimony.

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[REDACTED]

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[REDACTED]

1 MS. BLAS: Objection; argumentative, misstates  
2 the document, misstates testimony.

3 [REDACTED]  
4 [REDACTED]  
5 [REDACTED]  
6 [REDACTED]

7 MR. LAVIN: Let us go to the next exhibit.

8 This exhibit was used in another deposition,  
9 but it is here, Exhibit 28, and it bears Bates  
10 numbers UBH000601 through UBH000951.

11 I think we're going to jump ahead to page 31  
12 and 32.

13 (Plaintiffs' Exhibit No. 28 was marked for  
14 identification.)

15 MS. BLAS: Matt, you're referring to the  
16 internal page numbering?

17 MR. LAVIN: Yes, I'm sorry. That's right,  
18 because they're kind of similar. So let's do 634  
19 through 635.

20 BY MR. LAVIN:

21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED]

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MS. BLAS: Objection; calls for a legal

conclusion, lacks foundation, vague.

MS. BLAS: Objection.

MR. CAESAR: Objection; form, misstates his

testimony.

BY MR. LAVIN:

1 [REDACTED] [REDACTED]

2 [REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED]

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[REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED]



## LD, DB, BW, RH v. United Healthcare Insurance Comp

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MS. BLAS: Objection; misstates testimony.

11

THE WITNESS: I'm sorry. Could you please

12

restate that? I didn't get it all.

13

BY MR. LAVIN:

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16

MS. BLAS: Same objection.

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MS. BLAS: Objection --

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2 BY MR. LAVIN:

3 Q. So the next exhibit I'm going to ask Nicole to  
4 introduce, and it's going to be a recording.5 I think you mentioned that sometimes in the  
6 course of your employment you listen to recordings,  
7 right, from member services and provider services?

8 A. Yes.

9 MR. LAVIN: So my -- now, Nicole, what is the  
10 Bates number for this?11 MS. WEMHOFF: The Bates number for this is  
12 CS-VOB-225.13 MR. LAVIN: Okay. And I'll represent that this  
14 was produced to us by United, and so it's going to  
15 be Exhibit 29.16 (Plaintiffs' Exhibit No. 29 was marked for  
17 identification.)18 MR. LAVIN: And can you, Nicole, when you play  
19 this, just -- the court reporter is going to have to  
20 take it down, so can you also mention where you are  
21 in the recording? Because it's a long recording;  
22 right?

23 MS. WEMHOFF: Yes, it's about 25 minutes.

24 MR. LAVIN: Okay. Does it cover multiple  
25 patients or just one patient?

1 MS. WEMHOFF: Just one patient.

2 MR. LAVIN: But she's going to move around. We  
3 can play the whole thing, but I think she's just  
4 going to just play the salient portions of it.

5 MS. BLAS: I'll just object that CS-VOB-225  
6 does not appear to be a United Bates number, so I'm  
7 not sure.

8 MR. LAVIN: So I believe this is something  
9 United has produced to us that it received from a  
10 provider, possibly.

11 MS. BLAS: Okay.

12 MR. LAVIN: So it may be a Bates number  
13 assigned to it by a provider.

14 MS. BLAS: Thanks.

15 MR. LAVIN: And where are you starting?

16 MS. WEMHOFF: I am going to start at 30 seconds  
17 in.

18 MR. LAVIN: And I'll just ask that every time  
19 you move it, that you announce where you are.

20 MS. WEMHOFF: Sure. Actually, I think we're  
21 going to start from the very beginning so that we  
22 understand who the facility is and who is calling.

23 (The following is transcribed from an audio  
24 recording shared over the Zoom conference.)

25 (Recording playing.)

[illegible]

18  
19  
20  
21

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## LD, DB, BW, RH v. United Healthcare Insurance Comp

Page 286

1 (Recording playing.)

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11 (Recording paused.)

12 MS. WEMHOFF: We are now going to move ahead to  
13 16 minutes and 50 seconds into the recording.

14 (Recording playing.)

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## LD, DB, BW, RH v. United Healthcare Insurance Comp

Page 287

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7

(Recording paused.)

8

MS. WEMHOFF: We're now going to move ahead to

9

18 minutes and 40 seconds in.

10

(Recording playing.)

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## LD, DB, BW, RH v. United Healthcare Insurance Comp

Page 288

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(Recording paused.)

9

MS. WEMHOFF: And that's the end of the

10

recording.

11

MR. LAVIN: Well, that's not the end of the

12

recording. That's just the --

13

MS. WEMHOFF: That's just the end of where we

14

are going to be playing. That ended -- we're at

15

19 minutes and 58 seconds of the 24 minutes and 24

16

-- 27 second recording.

17

MR. CAESAR: All right. So as I appreciate it,

18

we don't have any information about anything

19

involved with this particular claim? I mean, is

20

this tied to a claim? This is the first time I've

21

heard it. So what are we talking about?

22

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MS. BLAS: Objection; lacks foundation, calls

8

for speculation. I'll just lodge an objection to

9

this whole line of questioning because we didn't

10

listen to the whole recording, but you can continue.

11

MR. LAVIN: How much time -- we could find how

12

much time is left. I will listen to the whole

13

recording. We can play it.

14

Do we know how much time is left on the record?

15

THE VIDEOGRAPHER: Give me one second, please.

16

MR. CAESAR: I was going to mention that,

17

because I've just been following in real-time, and I

18

appreciate the difficulty you're having, Ms. Court

19

Reporter.

20

MR. LAVIN: Well, we can listen to it

21

separately and we don't have to do the whole one

22

right now. Ms. Blas can listen to it in its

23

entirety and let us know afterwards what her

24

objections are.

25

BY MR. LAVIN:



1 vague.

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MS. BLAS: Objection based on it misstates

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testimony.

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MS. BLAS: Objection; foundation, speculation.

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We don't have the whole recording to listen to it.

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MS. BLAS: Same objection.

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MS. BLAS: Objection; foundation, calls for

1 speculation, vague.

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8 MR. CAESAR: Form.

9 T █ .

10 BY MR. LAVIN:

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23 MS. BLAS: Objection; vague, speculation.

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1 BY MR. LAVIN:

2 [REDACTED]

3 [REDACTED]

4 MS. BLAS: Objection; vague, speculation.

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 MS. BLAS: Objection.

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

## LD, DB, BW, RH v. United Healthcare Insurance Comp

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1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 MS. BLAS: Objection; misstates testimony.

8 BY MR. LAVIN:

9 [REDACTED]

10 [REDACTED]

11 MS. BLAS: Same objection.

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 MR. LAVIN: I don't have any further questions.

18 MS. BLAS: Can we take ten minutes?

19 MR. LAVIN: Yes.

20 THE VIDEOGRAPHER: All right. Going off the  
21 record, the time is 6:59.

22 (Brief recess.)

23 THE VIDEOGRAPHER: All right. We are now back  
24 on the record. The time is 7:25.

25 CROSS-EXAMINATION

1 BY MS. BLAS:

2 Q. Hello, Mr. Lopez. Just a couple of quick  
3 questions for you.

4 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

10 MR. LAVIN: No. Objection, outside the scope.  
11 I never asked about that.

12 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

16 MR. LAVIN: Object -- ask your question.

17 BY MS. BLAS:

18 [REDACTED]  
[REDACTED]  
[REDACTED]

21 MR. LAVIN: I'm going to object to this  
22 question. First of all, it's leading. Second of  
23 all, I didn't ask or show the witness any EOBs or  
24 ask about provider charges.

25 MS. BLAS: I believe you did. I'm happy to



1 [REDACTED]

2 [REDACTED]

3 MR. LAVIN: Objection; leading.

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 MR. LAVIN: Objection; foundation, leading.

10 T [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED].

15 MS. BLAS: Nothing further.

16 REDIRECT EXAMINATION

17 BY MR. LAVIN:

18 Q. Just one question for you, Mr. Lopez. Some  
19 providers do balance bill; correct?

20 MS. BLAS: Objection; calls for speculation.

21 THE WITNESS: Yes, there's providers that do  
22 balance bill, but not all.

23 MR. LAVIN: No further questions.

24 MR. CAESAR: And I have no questions at this  
25 time.

## LD, DB, BW, RH v. United Healthcare Insurance Comp

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1 MR. LAVIN: Thank you, Mr. Lopez. Can we go  
2 off the record?

3 THE VIDEOGRAPHER: Going off record, the --

4 MR. CAESAR: On the record, I want to make it  
5 clear this is subject to the protective order in the  
6 case and is being designated temporarily as  
7 confidential, attorneys eyes only, until further  
8 steps pursuant to the protective order can be taken.

9 MR. LAVIN: Plaintiffs are fine with that.  
10 Can we go off?

11 THE VIDEOGRAPHER: All right. Going off the  
12 video record, the time is 7:29 p.m.

13 MR. LAVIN: Thanks, Mr. Lopez.

14 THE CERTIFIED STENOGRAPHER: Mr. Lavin, do you  
15 want this transcribed regular delivery?

16 MR. LAVIN: Sure, but can we get a rough, too?

17 THE CERTIFIED STENOGRAPHER: Yes. And  
18 Ms. Blas?

19 MS. BLAS: We'll also take a rough, please.  
20 Regular delivery is fine otherwise.

21 MR. CAESAR: We'll also take a rough and  
22 regular delivery.

23 (The deposition was concluded at 7:30 p.m.)  
24  
25

## 1 CERTIFICATE OF OATH

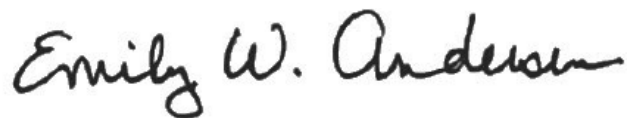
2  
3 STATE OF FLORIDA:  
4 COUNTY OF SEMINOLE:

5 I, Emily W. Andersen, RMR CRR FPR, Stenograph  
6 Shorthand Reporter, certify that RADAMES LOPEZ appeared  
7 before me via videoconference on July 18, 2022 and was  
8 duly sworn.

9 WITNESS my hand and official seal this 31st day of  
10 July, 2022.

## 11 Identification:

12 Produced Identification  
13 Florida Driver's License

14 

15 \_\_\_\_\_  
16 EMILY W. ANDERSEN,  
17 Notary Public State of Florida  
18 Commission No. GG 258112  
19 Expires October 14, 2022  
20  
21  
22  
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24  
25

## CERTIFICATE OF REPORTER

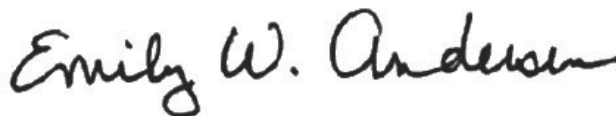
STATE OF FLORIDA:

COUNTY OF SEMINOLE:

I, Emily W. Andersen, RMR CRR FPR, Stenograph Shorthand Reporter, certify that I was authorized to and did stenographically report the foregoing deposition of RADAMES LOPEZ; that the review of the transcript was requested; and that the foregoing Pages, 4 through 299, inclusive, are a true and complete record of my stenograph notes.

I further certify that I am not a relative or employee of any of the parties, nor am I a relative or counsel connected with the parties' attorneys or counsel connected with the action, nor am I financially interested in the outcome of the action.

DATED this 31st day of July, 2022.



---

Emily W. Andersen, RMR CRR FPR  
Stenograph Shorthand Reporter



## LD, DB, BW, RH v. United Healthcare Insurance Comp

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August 1, 2022

MR. RADAMES LOPEZ  
c/o Lauren Blas, Esquire  
Gibson Dunn  
333 South Grand Avenue  
Los Angeles, California 90071  
lblas@gibsondunn.com  
Re: July 18, 2022 Deposition of RADAMES LOPEZ  
LD, DB, BW, RH and CJ, on behalf of themselves and  
all others similarly situated vs. United Healthcare  
Insurance Company, et al.

Dear Sir:

This above-referenced transcript is available for review. The witness should read the testimony to verify its accuracy. If there are any changes, the witness should note those with the reason on the attached Errata Sheet. The witness should, please, date and sign the Errata Sheet and e-mail to the deposing attorney as well as to Veritext at Transcripts-fl@veritext.com and copies will be e-mailed to all ordering parties.

It is suggested that the completed errata be returned 30 days from receipt of testimony, as considered reasonable under Federal rules; however, there is no Florida statute to this regard.

If the witness fails to do so, the transcript may be used as if signed.

Sincerely,

---

Emily Andersen, RMR CRR FPR  
Veritext

cc: Matthew M. Lavin, Esquire; Craig Caesar, Esquire

\*Federal Civil Procedure Rule 30(e)/Florida Civil  
Procedure Rule 1.310(e)

[&amp; - 2019]

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Georgia Code

Title 9, Chapter 11

Article 5, Section 9-11-30

(e) Review by witness; changes; signing.

If requested by the deponent or a party before completion of the deposition, the deponent shall have 30 days after being notified by the officer that the transcript or recording is available in which to review the transcript or recording and, if there are changes in form or substance, to sign a statement reciting such changes and the reasons given by the deponent for making them. The officer shall indicate in the certificate prescribed by paragraph (1) of subsection (f) of this Code section whether any review was requested and, if so, shall append any changes made by the deponent during the period allowed. If the deposition is not reviewed and signed by the witness within 30 days of its submission to him or her, the officer shall sign it and state on the record that the deposition was not reviewed and signed by the deponent within 30 days. The deposition may then be used as fully as though signed unless, on a motion to suppress under paragraph (4) of subsection (d) of Code

Section 9-11-32, the court holds that the reasons given for the refusal to sign require rejection of the deposition in whole or in part.

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